

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CAMILO OLIVERA ALVAREZ,

Plaintiff,

vs.

ERIC HOLDER, STACIA HYLTON,
CRAIG THAYER and PASCO
POLICE CHIEF,

Defendants.

NO. CV-11-5027-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
COMPLAINT**

1915(g)

Magistrate Judge Hutton filed a Report and Recommendation on June 10, 2011, recommending Mr. Olivera Alvarez's complaint be dismissed without prejudice for failure to state a claim upon which relief may be granted. 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1). Plaintiff has not kept the Court apprised of his current address and the Report and Recommendation was returned as undeliverable on June 20, 2011, ECF No. 10. The Court has been unable to locate a current address for Mr. Olivera Alvarez.

There being no objections, the Court **ADOPTS** the Report and Recommendation. The Complaint is **DISMISSED WITHOUT PREJUDICE** under 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1). Pursuant to 28 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who brings three or more civil

**ORDER ADOPTING REPORT AND RECOMMENDATION
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1 actions or appeals which are dismissed as frivolous or for failure to
2 state a claim will be precluded from bringing any other civil action or
3 appeal *in forma pauperis* "unless the prisoner is under imminent danger
4 of serious physical injury." 28 U.S.C. § 1915(g). Plaintiff is advised
5 to read the new statutory provisions under 28 U.S.C. § 1915. This
6 dismissal of Plaintiff's complaint may count as one of the three
7 dismissals allowed by 28 U.S.C. § 1915(g) and may adversely affect his
8 ability to file future claims.

9 IT IS SO ORDERED. The District Court Executive is directed to
10 enter this Order, enter judgment, forward copies to Plaintiff at his
11 last known address, and close the file. The District Court Executive is
12 further directed to forward a copy of this Order to the Office of the
13 Attorney General of Washington, Criminal Justice Division. The Court
14 certifies any appeal of this dismissal would not be taken in good faith.

15 DATED this 13th day of July 2011.

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17 s/Edward F. Shea
18 EDWARD F. SHEA
19 UNITED STATES DISTRICT JUDGE

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